

1 Miles M. Cooley (SBN 206783)
miles.cooley@dlapiper.com
2 **DLA PIPER LLP (US)**
2000 Avenue of the Stars
3 Suite 400 North Tower
Los Angeles, California 90067-4704
4 Tel: 310.595.3000
Fax: 310.595.3300

5 Attorneys for Specially-Appearing
6 Defendant
H.E. AHMED AL-RUMAIHI
7 .

8
9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 BIG3 LLC, et al.,
12 Plaintiffs,
13 v.
14 AHMED AL-RUMAIHI, et al.,
15 Defendants.
16
17
18
19
20

CASE NO. 2:18-CV-3466 DMG

**DECLARATION OF MILES M.
COOLEY IN SUPPORT OF
SPECIALLY-APPEARING
DEFENDANT H.E. AL-
RUMAIHI'S MOTION TO
DISMISS PURSUANT TO
VIENNA CONVENTION ON
DIPLOMATIC RELATIONS AND
DIPLOMATIC RELATIONS ACT**

Room: 8C
Judge: Hon. Dolly M. Gee

1 I, Miles M. Cooley, declare as follows:

2 1. I am an attorney at law, admitted to the State Bar of California and the
3 Central District of California, and counsel for Specially-Appearing Defendant H.E.
4 Ahmed Al-Rumaihi (“H.E. Al-Rumaihi”) in this action.

5 2. I submit this declaration in support of H.E. Al-Rumaihi’s Motion to
6 Dismiss pursuant to the Vienna Convention on Diplomatic Relations and Diplomatic
7 Relations Act (the “Motion”). As to the following facts, I know them to be true of
8 my own personal knowledge. If called upon to testify, I would and could testify
9 competently to the facts set forth herein.

10 3. In or about mid-April 2019, and more than seven days prior to the filing
11 of the Motion, I met and conferred with Ben J. Meiselas, counsel of record for
12 Plaintiffs Big3 Basketball, LLC, O’Shea Jackson, and Jeff Kwatinetz about the filing
13 of the Motion. He indicated that he understood why we might want to make such a
14 motion, but that he would likely oppose it.

15 4. Attached hereto as **Exhibit A** is a true and correct redacted copy of H.E.
16 Al-Rumaihi’s diplomatic passport, issued by the State of Qatar.

17 5. Attached hereto as **Exhibit B** is a true and correct redacted copy of a
18 letter, with certified translation, from the Ministry of Foreign Affairs for the State of
19 Qatar, Department of Protocol, to the Embassy of the United States in Doha,
20 requesting the issuance of H.E. Al-Rumaihi’s A-1 visa.

21 6. On August 30, 2018, the United States issued H.E. Al-Rumaihi an A-1
22 visa. Attached hereto as **Exhibit C** is a true and correct redacted copy of H.E. Al-
23 Rumaihi’s A-1 visa.

24 7. On September 7, 2018, the Qatari Embassy formally notified the United
25 States Department of State of H.E. Al-Rumaihi’s diplomatic posting via a Notification
26 of Appointment (“NOA”) through the Office of Foreign Mission e-Gov system
27 (“eGov”). Attached hereto as **Exhibit D** is a true and correct copy of the NOA
28 submission via eGov. The eGov system is used by all foreign missions to transmit

1 requests for benefits and services to the Office of Foreign Missions and the Office of
2 the Chief of Protocol.

3 8. On September 7, 2018, the United States Department of State granted
4 H.E. Al Rumaihi entry into the United States for his diplomatic appointment.

5 9. On September 13, 2018, the United States Department of State formally
6 recognized his accredited diplomatic status, and issued H.E. Al-Rumaihi his
7 Diplomatic Identification Card. Attached hereto **as Exhibit E** is a true and correct
8 redacted copy of both sides of H.E. Al-Rumaihi's Diplomatic Identification Card.

9 10. Attached as **Exhibit F** is a true and correct copy of the United States
10 Department of State Diplomatic List for the Fall of 2018. The State Department
11 publishes this list on its website, available at
12 <https://www.state.gov/documents/organization/287365.pdf>.

13 11. Attached hereto as **Exhibit G** are true and correct copies of relevant
14 portions of the Diplomatic List archives published by the United States Department
15 of State reflecting H.E. Al-Rumaihi's prior accredited diplomatic appointment to the
16 Embassy of the State of Qatar in Washington D.C. The attached archives reflect H.E.
17 Al-Rumaihi's diplomatic appointments as of Fall 2009, Winter 2010, Spring 2010,
18 Summer 2010, Fall 2010, Winter 2011, Spring 2011, Winter 2012, Spring/Summer
19 2012, Fall 2012, February 2013, and Spring 2013.

20 12. Attached hereto as **Exhibit H** are true and correct copies of relevant
21 portions of the Foreign Career Consular Offices archives published by the United
22 States Department of State reflecting H.E. Al-Rumaihi's prior accredited consular
23 appointment to the Consulate General of the State of Qatar in New York. The attached
24 archives reflect H.E. Al-Rumaihi's consular appointments as of Winter 2014,
25 Spring/Summer 2015, and Winter/Spring 2016.

26 13. Attached hereto as **Exhibit I** is a true and correct copy of the Statement
27 of Interest publicly filed by the United States in *Sabbithi v. Al Saleh*, 605 F. Supp. 2d
28 122 (D.D.C. 2009).

